

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 25 August 2008 has been entered. Claims 2 and 34-35 are previously cancelled. Claim 39-40 has been added.

### ***Allowable Subject Matter***

Claims 1, 3-33 and 36-40 are allowed.

As to claims 1, 16, 37 and 39, the prior art of record, taken alone or in combination, fails to disclose or render obvious a light source configured to direct a first band of visible light and a second band of visible light along a substantially shared path through the ozonated water in the delivery pipeline, the first and second bands of visible light diffusely scattered by the plurality of reflection sites, wherein ozone in the ozonated water has a greater absorption associated with the first band of visible light than with the second band of visible light, in combination with the rest of the limitations of the claim. Claims 3-15, 27-33, 36, 38 and 40 are allowable by virtue of their dependency.

As to claims 17 and 26, the prior art of record, taken alone or in combination, fails to disclose or render obvious selecting a first band of visible light for which ozone has a greater absorption than for a second band of visible light; sensing the first band of visible light and the second band of visible light after they pass along a substantially shared path through the ozonated water; and modifying a measured attribute of the ozone in the ozonated water determined from the sensed first band of visible light in response to the sensed second band of visible light to improve the accuracy of the measured attribute, in combination with the rest of the limitations of the claim. Claims 18-23 are allowable by virtue of their dependency.

The reference of Weckstrom (6,791,689 B1) disclose an apparatus/method for measuring/producing ozonated water having a desired ozone concentration (i.e. an attribute of ozone). However Weckstrom fail to disclose, teach or suggest a first band of visible light and a second band of visible light along a substantially shared path through the ozonated water in the delivery pipeline, the first and second bands of visible light diffusely scattered by the plurality of reflection sites, wherein ozone in the ozonated water has a greater absorption associated with the first band of visible light than with the second band of visible light; and/or selecting a first band of visible light for which ozone has a greater absorption than for a second band of visible light; sensing the first band of visible light and the second band of visible light after they pass along a substantially shared path through the ozonated water; and modifying a measured attribute of the ozone in the ozonated water determined from the sensed first band of visible light in

response to the sensed second band of visible light to improve the accuracy of the measured attribute.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isiaka Akanbi whose telephone number is (571) 272-8658. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tarifur R. Chowdhury can be reached on (571) 272-2287. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Isiaka Akanbi

October 21, 2008

Art Unit: 2886

/TARIFUR R CHOWDHURY/

Supervisory Patent Examiner, Art Unit 2886